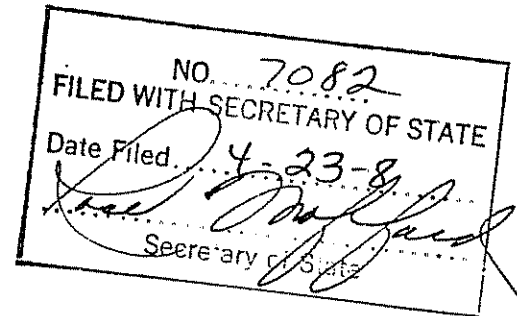


CONSTRUCTION  
INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF FLAGSTAFF



THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Section 11-951 through 11-954, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the CITY OF FLAGSTAFF, hereinafter called "CITY",

WHEREAS, the STATE is empowered by Arizona Revised Statutes Section 28-108 to enter into this AGREEMENT, and

WHEREAS, the CITY is empowered by Arizona Revised Statutes Section 9-672 to enter into this AGREEMENT, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this AGREEMENT and has authorized the undersigned as its representative to execute the same on behalf of said CITY, and

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the CITY. This work shall include but not be limited to the installation of new traffic signals and intersection lighting at the following location:

US 89 and Smokerise Drive

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals and intersection lighting on US 89 at Smokerise Drive.

2. The CITY, upon completion of the work, shall reimburse the STATE for fifty per cent (50%) of the preliminary engineering, construction, and field engineering costs, not to exceed \$41,250.00 for its share of the cost of this work.

3. This AGREEMENT shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place, and functional.

4. All parties are hereby put on notice that this AGREEMENT is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511.

5. This AGREEMENT shall be filed with the Secretary of State and shall become effective on the 15th day of January, 1981, but in no event prior to its being filed with the Secretary of State.

6. Attached to this AGREEMENT and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the CITY is authorized under the laws of this State to enter into this AGREEMENT and that it is in proper form.

STATE OF ARIZONA  
ARIZONA DEPARTMENT OF TRANSPORTATION

By: 

Chief Deputy State Engineer

Date: April 6, 1981


CITY OF FLAGSTAFF

By: 

Title: Mayor

Date: March 20, 1981

ATTEST:

  
City Clerk

"EXHIBIT A"

Extract of the Minutes of the Flagstaff City Council Meeting  
Held March 17, 1981

Consideration of an Intergovernmental Agreement Between the  
City of Flagstaff and A.D.O.T. for a Traffic Signal at Smokerise  
Drive and U.S. 89:

---


Recommended Action: To approve the Intergovernmental Agreement  
between ADOT and the City and authorize the Mayor to execute  
on behalf of the City and direct the staff to include this  
item in the capital budget for the fiscal year 1981-82.

Councilman Robinson moved to approve the Intergovernmental  
Agreement with ADOT and authorize the Mayor to execute on  
behalf of the City. Councilman Hannah seconded the motion.  
The motion unanimously carried.

CERTIFICATION

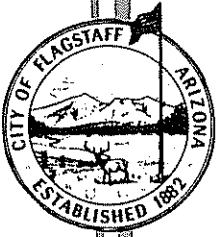
I, LINDA BUTLER, City Clerk of the City of Flagstaff,  
Arizona, do hereby certify that the foregoing is a full, true,  
and correct copy of an extract of the Minutes of the Flagstaff  
City Council Meeting held March 17, 1981.

IN WITNESS WHEREOF. I have hereunto set my hand and  
impressed the official Seal of the City of Flagstaff, this  
25th day of March, 1981.

  
CITY CLERK

(SEAL)

EXHIBIT 'B'

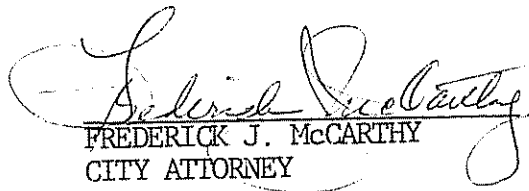


# City of Flagstaff

March 10, 1981

P.O. Box 1208  
Flagstaff, Arizona 86002  
602-774-5281

I have reviewed the proposed Intergovernmental Agreement between the Department of Transportation at the State of Arizona and the City of Flagstaff in regard to the installation and maintenance of a traffic signal and lighting at the intersection of US 89 and Smokerise Drive, and it is my determination that the Agreement is in proper form and within the process and authority of the City under its Charter and the statutes of the State of Arizona.

  
FREDERICK J. MCCARTHY  
CITY ATTORNEY



# ARIZONA DEPARTMENT OF TRANSPORTATION

## HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

April 30, 1981

BRUCE BABBITT  
Governor  
WILLIAM A. ORDWAY  
Director

*DR*  
*Belts*  
*rule*  
THOMAS R. LAMMERS  
Assistant Director  
and State Engineer

Mr. Rich Perry  
City Engineer  
City of Flagstaff  
P. O. Box 1208  
Flagstaff, Arizona 86002

Re: Intergovernmental Agreement  
and  
Letter Addendum  
U.S. 89 at Smokerise Drive ✓  
City of Flagstaff/State of Arizona

Dear Mr. Perry:

Transmitted herewith is a copy of the executed Inter-governmental Agreement and Letter Addendum as referenced.

The effective date of filing with the Office of the Secretary of State is April 23, 1981.

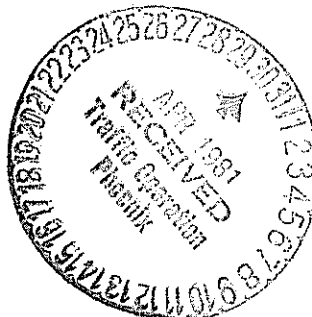
Very truly yours,

*Carlie Bowmer*

CARLIE BOWMER  
Assistant State Engineer  
Traffic Engineering Section

CB:mm  
Attachment

cc: J. B. Mertz  
E. F. Gentsch  
✓ D. R. Olivarez  
Ben Patterson  
Sally Al-Hashimi (Original)



ARIZONA HIGHWAY DEPARTMENT  
REQUEST FOR PREAUDIT

F-037-1-919

TO: External Audit Branch

THRU: \_\_\_\_\_

FROM: Carlie Bowmer

SUBJECT: Project: Signalization  
Highway: U.S. 89  
Section: Smokerise Drive  
City of Flagstaff, Arizona  
Document Number: A. G. Contract NO. 81-189  
Principal: City of Flagstaff/State of Arizona

It is requested that a preaudit be performed on the subject documents. Upon completion of the preaudit, the documents should be returned to:

Carlie Bowmer, Asst. State Engineer  
Traffic Engineering, 204F

Signature: Mary McKinley

Title: Admin. Secy. I

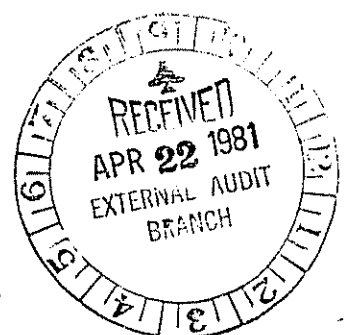
Preaudit Report No. 41 Date: 4/22/81

The subject documents were preaudited by the External Audit Branch in accordance with departmental procedures. No exceptions were taken.

Quintina Perry  
STAFF AUDITOR

Approved:

[Signature]  
EXTERNAL AUDIT MANAGER



TOM NEWTON  
TRAFFIC ENGINEER  
1981



OFFICE OF THE  
**Attorney General**

1801 WEST JEFFERSON STREET  
FOURTH FLOOR  
PHOENIX, ARIZONA 85007

ROBERT K. CORBIN  
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT

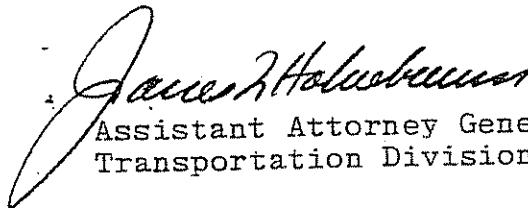
DETERMINATION

A. G. Contract No. 81-189, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted to the State or its agencies under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 13th day of April, 1981.

ROBERT K. CORBIN  
Attorney General

  
Assistant Attorney General  
Transportation Division



# ARIZONA DEPARTMENT OF TRANSPORTATION

## HIGHWAYS DIVISION

206 South Seventeenth Avenue Phoenix, Arizona 85007

November 25, 1980

BRUCE BABBITT  
Governor  
WILLIAM A. ORDWAY  
Director

✓  
THOMAS R. LAMMERS  
Assistant Director  
and State Engineer

The Honorable Paul J. Babbitt, Jr.  
Mayor  
City of Flagstaff  
15 North Beaver  
Flagstaff, Arizona 86002

Re: Intergovernmental Agreement and Letter Addendum

Dear Mayor Babbitt:

Transmitted herewith are two copies of a proposed Agreement concerning construction of signals at the intersection of US 89 at Smokerise Drive. Essentially, the Agreement establishes that the State will have signals installed and the City will reimburse the State for fifty percent of the cost, but not more than \$41,250.00.

The proposed Agreement is being forwarded for your review, approval, and coordination with the City Council, which may take action by ordinance, resolution, or otherwise, authorizing signing of the Agreement.

A written determination is required by the City Attorney or Assistant City Attorney stating that the Agreement is in proper form, and within the powers and authority granted to the City.

The signed copies of the Agreement and the papers of authorization, i.e., the City Council's resolution and the City Attorney's determination, should then be forwarded to ADOT for processing.

After the Agreement has been properly processed, and all of the other necessary signatures have been obtained, the Agreement will be filed with the Secretary of State, at which time the City will receive a copy of the fully executed document.

Also transmitted herewith are two copies of a Letter Addendum concerning maintenance of the new signals. They are being forwarded to you for your review, approval, coordination, and procuring of necessary signatures.





The Honorable Paul J. Babbitt, Jr.  
Page 2

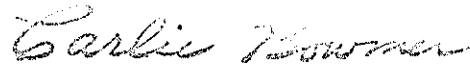
November 25, 1980

Intergovernmental Agreement and Letter Addendum

After your agency has signed both copies, please return them for our agency's signatures. As soon as the necessary processing is completed, a fully executed copy of the Letter Addendum will be forwarded to you for your files.

Very truly yours,

THOMAS R. LAMMERS  
State Engineer



CARLIE BOWMER, P.E.  
Assistant State Engineer  
Traffic Engineering Section

CB:TMN:bh  
Atts.

cc: J. B. Mertz  
E. F. Gentsch